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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,425	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.734	5219
25883	7590	12/02/2005		
HOWISON & ARNOTT, L.L.P. P.O. BOX 741715 DALLAS, TX 75374-1715			EXAMINER SHERR, CRISTINA O	
			ART UNIT	PAPER NUMBER
			3621	
DATE MAILED: 12/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/382,425	Applicant(s) PHILYAW ET AL.	
	Examiner Cristina Owen Sherr	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/09/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to applicant's amendment filed September 9, 2005. Claims 1-22 are currently pending in this case.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 9, 2005 has been entered.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on September 9, 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

4. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knowles et al (US 5,869,819A).

7. Regarding claim 1 -

Knowles discloses a method for interfacing a user location on a network to a destination location on the network (e.g. abstract), comprising the steps of scanning a bar code having product information contained therein relating to an associated product, which bar code has no network routing information contained therein (e.g. col 2 ln 39-44); extracting product information from the bar code (e.g. col 4 ln 30-33); defining routing information over the network from the user location to the destination location in direct response to the steps of scanning and extracting, which routing information defines the location of the destination location on the network, the step of defining including the steps of accessing a relational database at a location on the network containing a relationship between product information and predefined destination locations on the network, which relational database is operable to determine the one of the predefined destination locations associated with the extracted product information (e.g. col 3 ln 32-38); transmitting to the relational database the extracted product information (e.g. col 4 ln 55-60); instructional code generated at the database location on the network defining an instruction to cause the user location to be connected to at least one predefined destination defined by the relationship stored in the relational database in association with the transmitted extracted product information (e.g. col 4 ln 55-60); receiving from the relational database the generated instructional code containing routing information associated with the extracted product information; and interconnecting the user location

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to the destination location in accordance with instructional code containing the defined routing information, which step of interconnecting occurs in direct response to the steps of scanning, extracting and defining after the step of scanning (e.g. col 4 ln 60-65).

8. Although Knowles does not set forth the steps in the same order as the instant application, it would be obvious to one of ordinary skill in the art to re-order the steps of Knowles as necessitated by the need for economy and convenience. Further, mere-re-ordering of steps does not confer patentability.

8. Regarding claim 2 -

Knowles discloses the method of Claim 1, further comprising the steps of receiving information from the destination location in response to interconnecting thereto and displaying the received information (Col. 2 ln 34 - 60).

9. Regarding claim 3 -

Knowles discloses the method of Claim 1, wherein the bar code is disposed on or in close association with the associated product (Col. 3 ln 34 - col. 3 ln 55).

10. Regarding claim 4 -

Knowles discloses the method of Claim 3, wherein the bar code comprises an ISBN bar code (Col. 4 ln 12 - 35).

11. Regarding claim 5 -

Knowles discloses the method of Claim 3, wherein the bar code comprises an EAN bar code (col. 5 ln 35-55).

12. Regarding claim 6 -

Knowles discloses the method of Claim 3, wherein the bar code comprises a UPN bar code (Col. 3 In 30-55).

13. Regarding claim 7 -

Knowles discloses the method of Claim 1, wherein the step of defining [the] routing information comprises defining a universal resource locator (URL) of the destination location over the network in direct response to the step of scanning and extracting (Col. 4 In 30 - col. 5 In 10).

14. Regarding claim 8 -

Knowles discloses the method of Claim 1, wherein the step of defining routing information comprises the step of determining the existence of predetermined association between the scanned bar code and routing information for the destination location on the network (Col. 3 In 10 - 35).

15. Regarding claim 9 -

Knowles discloses the method of Claim 8, wherein the step of determining the existence of predetermined association comprises the step of accessing a database of a plurality of predetermined associations between a plurality of bar codes and associated routing information and determining if there is a corresponding bar code in the database (Col. 4 In 20-30).

16. Regarding claim 10 -

Knowles discloses the method of Claim 9, wherein the step of accessing comprises the steps of transmitting information extracted from the bar code to an intermediate location on the network (e.g. abstract); providing an associative database at the intermediate

location, which associative database has stored therein the plurality of bar codes and associated routing information; comparing the information extracted from the bar code received at the intermediate location with the database (e.g. col 4 ln 55-60); and if there is a corresponding bar code in the database to the extracted information in the bar code, returning the routing information to the user's location (Col. 5 ln 10-30).

17. Regarding claim 21 -

Knowles discloses the method of Claim 1, wherein the relational database is disposed on an intermediate node on the network (Col. 5 ln 30 - 55).

18. Regarding claim 11 -

Knowles discloses a method for interfacing a user location on a network to a destination location on the network (e.g. abstract), comprising the steps of scanning a bar code having product information contained therein relating to an associated product with a scanner, which bar code has no network routing information contained therein (e.g. col 2 ln 39-44); in direct response to the step of scanning, extracting product information contained within the bar code for conversion in an interface device to keyboard data input to a PC at the user location in combination with a scanner ID (e.g. (e.g. col 2 ln 61-65); in direct response to the step of extracting, defining routing information over the network from the user location to the destination location in response to the steps of scanning and extracting, which routing information defines the location of the destination location on the network, the step of defining including the steps of accessing a relational database at a database location on the network containing a relationship between product information and predefined destination locations on the network (e.g.

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col 4 ln 55-60), which relational database is operable to determine the one of the predefined destination locations associated with the extracted product information (e.g. col 4 ln 60-65); transmitting to the relational database the extracted product information (e.g. col 4 ln 60-65); instructional code generated at the database location on the network defining an instruction to cause the user location to be connected to at least one predefined destination defined by the relationship stored in the relational database in association with the transmitted extracted product information; receiving from the relational database the generated instructional code containing routing information associated with the extracted product information; and in direct response to the step of defining, interconnecting the user location to the destination location in accordance with instructional code containing the defined routing information (Col. 2 ln 34 - col. 5 ln 55).

19. As above, although Knowles does not set forth the steps in the same order as the instant application, it would be obvious to one of ordinary skill in the art to re-order the steps of Knowles as necessitated by the need for economy and convenience.

Further, mere-re-ordering of steps does not confer patentability.

20. Regarding claim 12 -

Knowles discloses the method of Claim 11, further comprising the steps of receiving information from the destination location in response to interconnecting thereto and displaying the received information (Col. 2 ln 34 – 60).

21. Regarding claim 13 -

Knowles discloses the method of Claim 11, wherein the bar code is disposed on or in close association with the associated product (Col. 2 ln 30-45).

22. Regarding claim 14 -

Knowles discloses the method of Claim 13, wherein the bar code comprises an ISBN bar code (Col. 4 In 12 - 35).

23. Regarding claim 15 -

Knowles discloses the method of Claim 13, wherein the bar code comprises an EAN bar code (col. 5 In 35-55).

24. Regarding claim 16 -

Knowles discloses the method of Claim 13, wherein the bar code comprises a UPN bar code (Col. 3 In 30-55).

25. Regarding claim 17 -

Knowles discloses the method of Claim 11, wherein the step of defining routing information comprises defining a universal resource locator (URL) of the destination location over the network in direct response to the step of scanning and extracting (Col. 4 In 30 - col. 5 In 10).

26. Regarding claim 18 -

Knowles discloses the method of Claim 11, wherein the step of defining routing information comprises the step of determining the existence of predetermined association between the scanned bar code and routing information for the destination location on the network (Col. 3 In 10 - 35).

27. Regarding claim 19 -

Knowles discloses the method of Claim 18, wherein the step of determining the existence of predetermined association comprises the step of accessing a database of

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a plurality of predetermined associations between a plurality of bar codes and associated routing information and determining if there is a corresponding bar code in the database (Col. 4 ln 20-30).

28. Regarding claim 20 -

Knowles discloses the method of Claim 19, wherein the step of accessing comprises the steps of transmitting information extracted from the bar code to an intermediate location on the network; providing an associative database at the intermediate location, which associative database has stored therein the plurality of bar codes and associated routing information; comparing the information extracted from the bar code received at the intermediate location with the database; and if there is a corresponding bar code in the database to the extracted information in the bar code, returning the routing information to the user's location (Col. 5 ln 10-30).

29. Regarding claim 22 -

Knowles discloses the method of Claim 11, wherein the relational database is disposed on an intermediate node on the network (Col. 5 ln 30 - 55).

30. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part

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of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

32. Wilz, Sr. et al (US 6,510,997B1) discloses a hand-supportable bar code symbol-reading device having an integrated world wide web (www) browser command generator for automatically generating www browser program commands to initiate the execution of hypertext transmission protocol (HTTP) requests.

33. Wilz, Sr. et al (US 5,992,752A) disclose an Internet-based system for enabling information-related transactions over the Internet using Java-enables Internet terminals provided with bar-code symbol readers for reading java-applet encoded bar code symbols.


34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COS


Primary Examiner
AU 3621